

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

RENY SHERENE MORGAN,

Plaintiff pro se,

v.

UNITED STATES DEPARTMENT
OF DEFENSE,

Defendant.

CIVIL ACTION FILE

NO. 1:11-CV-02925-TWT

ORDER AND
FINAL REPORT AND RECOMMENDATION

This matter is before the Court upon plaintiff pro se's request to proceed in forma pauperis ("IFP") [1] pursuant to 28 U.S.C. § 1915(a).

On August 31, 2011, plaintiff pro se, Reny Sherene Morgan, applied to proceed IFP and attached a Complaint [1-1], request for a restraining order [1-2], and request for appointed counsel [1-3]. Plaintiff's affidavit is internally inconsistent, stating that she spends her entire income—a \$604.00 monthly disability payment—on recreation, entertainment, newspapers, magazines, etc., while also indicating that she spends no money on food, clothing, or any other living expense. (Aff. 2-5.)

Plaintiff submitted identical defective affidavits in the following seven previously filed cases: 1:11-cv-2834-TWT; 1:11-cv-2835-TWT-WEJ; 1:11-cv-2839-

TWT; 1:11-cv-2841-TWT; 1:11-cv-2842-TWT-WEJ; 1:11-cv-2843-TWT; and 1:11-cv-2844-TWT. Plaintiff failed to follow the Court's Orders to amend the faulty affidavits filed in those cases; therefore, the Court has no reason to believe plaintiff will submit a corrected affidavit here.

Accordingly, the undersigned **DENIES** plaintiff's requests for a restraining order [1-2] and appointed counsel [1-3] as prematurely filed, and **RECOMMENDS** that plaintiff's request to proceed IFP [1] be **DENIED WITHOUT PREJUDICE** as internally inconsistent and that this case be **CLOSED**.

SO ORDERED AND RECOMMENDED, this 5th day of October, 2011.



WALTER E. JOHNSON
UNITED STATES MAGISTRATE JUDGE

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**ORDER FOR SERVICE OF
FINAL REPORT AND RECOMMENDATION**

Let this Final Report and Recommendation of the United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72(b), and the Court's Local Rule 72.1B, be filed and a copy, together with a copy of this Order, be served upon counsel for the parties.

Pursuant to 28 U.S.C. § 636(b)(1), each party may file written objections, if any, to the Final Report and Recommendation within fourteen days of the receipt of this Order. Should objections be filed, they shall specify with particularity the alleged error(s) made (including reference by page number to any transcripts if applicable) and shall be served upon the opposing party. The party filing objections

will be responsible for obtaining and filing the transcript of any evidentiary hearing for review by the District Court. If no objections are filed, the Final Report and Recommendation may be adopted as the opinion and order of the District Court, and any appellate review of factual findings will be limited to a plain error review.

United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983) (per curiam).

The Clerk is directed to submit the Final Report and Recommendation with objections, if any, to the District Court after expiration of the above time period.

SO ORDERED, this 5th day of October, 2011.



WALTER E. JOHNSON
UNITED STATES MAGISTRATE JUDGE